

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,
Plaintiff,

VS.

**JUANITA HERRERA and
EVELINDA HINOJOSA,**

Defendants.

8:11CR43

ORDER

This matter is before the court on the motions for an extension of time by defendants Juanita Herrera and Evelinda Hinojosa (Filing Nos. 61 and 62). The defendants seek an additional thirty days in which to file pretrial motions in accordance with the progression order. Counsel represents that the defendants will file affidavits wherein they consent to the motions and acknowledge they understand the additional time may be excludable time for the purposes of the Speedy Trial Act. Counsel represents that government's counsel has no objection to the motion. Upon consideration, the motions will be granted

IT IS ORDERED:

1. Defendants Juanita Herrera's and Evelinda Hinojosa's motions for an extension of time to file pretrial motions (Filing Nos. 61 and 62) are granted.
2. Defendants Herrera and Hinojosa are given until **on or before April 25, 2011**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., the **time between March 24, 2011, and April 25, 2011**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 24th day of March, 2011.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge